

D. G. SWEIGERT, C/O, MAILBOX, PMB 13339
514 Americas Way, Box Elder, SD 57719
Spoliation-notice@mailbox.org

October 24, 2023

Sweigert v. Goodman, 23-cv-05875-JGK

U.S. District Judge Honorable John G. Koeltl
U.S. District Court
for the Southern District of New York
500 Pearl Street, New York, N.Y. 10007
Via ECF filing and koeltlnysdchambers@nysd.uscourts.gov

SUBJ: Letter motion to CORRECT THE RECORD and RENEW Rule 15(d) motion

Your Honor,

1. ECF docket entry 29 is in error as it contains Defendant Goodman's letter sent to the chambers e-mail on October 18, 2023 (ECF no. 28). Through error, ECF no. 29 is correctly titled on the docket but erroneously contains a duplicate of the Defendant's ECF no. 28 letter motion. Unfortunately, your recent Memorandum and Order of 10/23/2023 (ECF no. 34) was hand written on the wrong motion papers, see below.

Case 1:23-cv-06881-JGK Document 37 Filed 10/23/23 Page 1 of 5
Case 1:23-cv-05875-JGK Document 29 Filed 10/19/23 Page 1 of 5

The Honorable John Koeltl
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007
koeltlnysdchambers@nysd.uscourts.gov
Via e-mail and pro se electronic filing

Re: Case No.: Case No.: 1:23-cv-05875-JGK
Case No.: 1:23-cv-06881-JGK
Sweigert v Goodman et al

Dear Judge Koeltl,

Pursuant to your individual rules of practice, I write to respectfully request an extension

*The time to respond to the
complaint is extended to
12/15/23. The defendant is
reminded that the defendant
must seek a pre-motion
conference before moving to dis-
miss the complaint. The Clerk is
directed to mail a copy of this to
the plaintiff and the plaintiff is directed
to email a copy to
October 18, 2023*

2. Attached to this letter is the Plaintiff's FRCP Rule 15(d) motion, which should have been filed in the ECF no. 29 placeholder, see below.

10/19/2023	<u>29</u>	LETTER addressed to Judge John G. Koeltl from D.G. Sweigert, dated 10/19/23 re: "LETTER MOTION SEEKING LEAVE OF THE COURT PURS. TO FRCP 15(d)" - To satisfy Mr. Goodman's request to more completely clarify issues, the plaintiff seeks thirty days to fashion a supplemental complaint pursuant to FRCP Rule 15(d) to be docketed as the Court does. Document filed by D. G. Sweigert.(sc) (Entered: 10/20/2023)
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3. Please also note, Defendant Goodman has sent the undersigned *pro se* Plaintiff an electronic mail message requesting an update with regards to his FRCP Rule 11 Safe Harbor communication that was served upon the Plaintiff 10/16/2023, see below.

----- Original Message -----

From: Jason Goodman <truth@crowdsourcethetruth.org>

To: David George Acton Sweigert <spoliation-notice@mailbox.org>

Cc: "spoliation@posteo.net" <spoliation@posteo.net>, "removals@google.com" <removals@google.com>, "legal@support.youtube.com" <legal@support.youtube.com>, "google-legal-support@google.com" <google-legal-support@google.com>

Date: 10/23/2023 11:38 AM PDT

Subject: Re: Rule 11 WARNING

Mr. Sweigert,

The motion for an extension of time has been granted. If you do not plan to address the defects cited in the motion for rule 11 sanctions, please suggest a date and time for a conference call per judge Koeltl's order, see attached.

4. Accordingly, the Plaintiff RENEWS his motion for a FRCP Rule 15(d) supplemental complaint (attached), which was never docketed.

Respectfully, Signed 10/24/2023



D.G. SWEIGERT, PRO SE PLAINTIFF

CERTIFICATE OF SERVICE

Hereby certified that a PDF copy of the attached has been sent via electronic mail to:

Jason Goodman, sole stockholder of MULTIMEDIA SYSTEM DESIGN, INC.

truth@crowdsourcethetruth.org

Certified under penalties of perjury.

Respectfully, Signed this October 24th, 2023 (10/24/2023)

A handwritten signature in black ink, appearing to read "D. Smyth". The signature is written in a cursive, stylized font.

PRO SE PLAINTIFF

D. G. SWEIGERT, C/O, MAILBOX, PMB 13339
514 Americas Way, Box Elder, SD 57719
Spoliation-notice@mailbox.org

October 19, 2023

Sweigert v. Goodman, 23-cv-05875-JGK

Honorable John G. Koeltl
U.S. District Judge
U.S. District Court
for the Southern District of New York
500 Pearl Street, New York, N.Y. 10007
Via ECF filing

SUBJ: Letter motion seeking leave of the Court pursuant to FRCP 15(d)

Your Honor,

1. The undersigned *pro se* Plaintiff has received a Rule 11 Safe Harbor demand (see below) from Defendant Jason Goodman. The Rule 11 e-mail notification, with the accompanying attachments, chiefly complains about issues that can be cleared up with facts that have occurred since the filing of the Amended Complaint ECF no. 13. Recent examples (after docketing the Amended Complaint) of Mr. Goodman's tortious social media behavior fall within the scope of the Amended Complaint, no new allegations will be presented. This will clarify the issues at hand and serve to conserve judicial resources.

2. To satisfy Mr. Goodman's request to more completely clarify issues, the Plaintiff seeks thirty (30) days to fashion a supplemental complaint pursuant to FRCP Rule 15(d) to be docketed as the Court directs.

From: Jason Goodman <truth@crowdsourcethetruth.org>
To: David George Acton Sweigert <spoliation-notice@mailbox.org>
Date: 10/16/2023 8:33 PM PDT
Subject: URGENT This is your 21 day safe harbor notification a motion for sanctions pursuant to FRCP Rule 11 may be filed against you

Mr. Sweigert,

Please see the attached copy of the Notice of Motion for Sanctions, Memorandum in Support, and accompanying exhibits that I intend to file in this matter. Pursuant to Federal Rule of Civil Procedure 11(c)(2), you have 21 days to consider this motion and decide whether to withdraw your Amended Complaint and cease and desist from future vexatious litigation and other harassment. If you do not agree to withdraw your Amended Complaint cease and desist, I will plan to file the sanctions motion pursuant to Rule 11.

Thank you

From: Jason Goodman <truth@crowdsourcethetruth.org>
To: David George Acton Sweigert <spoliation-notice@mailbox.org>
Cc: "spoliation@posteo.net" <spoliation@posteo.net>
Date: 10/17/2023 7:41 AM PDT
Subject: Re: URGENT This is your 21 day safe harbor notification a motion for sanctions pursuant to FRCP Rule 11 may be filed against you

You have 21 days to rectify the defects in your case. You have been ordered to cease and desist from harassing me. The fact that you sent me this today rather than withdrawing the case is an indication that you have no intention to cure the defects in your defective, malicious case. If this is how you intend to handle the rule 11 motion, you should prepare to be sanctioned. Do not email me ever again. Withdraw the case, cease and desist from all contact or the rule 11 sanctions will be just the first legal penalty you will suffer.

Respectfully, Signed 10/19/2023



D.G. SWEIGERT, PRO SE PLAINTIFF

CERTIFICATE OF SERVICE

Hereby certified that a PDF copy of this letter has been sent via electronic mail to:

Jason Goodman, sole stockholder of MULTIMEDIA SYSTEM DESIGN, INC.

truth@crowdsourcethetruth.org

Certified under penalties of perjury.

Respectfully, Signed this October 19th, 2023 (10/19/2023)



PRO SE DEFENDANT